

Statement:

The Michigan Municipal League OPPOSES legislation that eliminates local zoning authority with respect to short-term rental properties. House Bill 4503 and Senate Bill 329 would require all short-term rentals be treated as a permitted, residential use in any residential zone regardless of local zoning regulations. Municipalities could not require that short-term rentals receive a special use or conditional use permit, or be subject to any procedure different from those required for other dwellings in the same zone. This legislation puts in place a preemption upsetting the delicate balance between a healthy tourism economy, property rights and an established, transparent process for zoning (as laid out in the Michigan Zoning Enabling Act) driven by public input through an open process.

Talking Points:

- This legislation prohibits local zoning of short-term rental properties, thus forbidding local governments to regulate such properties to protect the health and welfare of residents, visitors and businesses. Why would a short-term rental use be treated different than any other land use that a local government determines where it's best to go? Communities should have the ability to balance various land uses in the appropriate places throughout their community.
- This legislation is a statewide concern and not just an issue for communities with high tourism. It undermines local decision-making and removes the voice of residents rendering local governments powerless to act upon public input.
- This legislation would consider a dwelling purchased for the sole purpose of renting to short-term renters a permitted residential use instead of a commercial lodging use, creating an unfair advantage over the traditional lodging industry. There would also be no opportunity for any health or safety oversight.
- This legislation would allow any landlord to simply adjust the terms of a lease agreement to be a reoccurring 28-day lease to qualify as a short-term rental and not adhere to a municipality's existing non-owner occupied rental requirements since a short-term rental cannot be subject to any procedure different from those required for other dwellings (i.e. owner occupied) in the same zone. Non-owner occupied regulations exist to protect the health, safety and welfare of tenants in those rental dwellings.



- Short-term rentals are causing problems in many communities around the state by creating commercial activity in residential areas. Residential zoning exists to preserve the character of neighborhoods and protect property values for every home. This legislation preempts that process and silences the voices of residents.
- Concentrations of short-term rentals can negatively impact quality of life in a neighborhood by eroding the social and physical fabric of what makes that neighborhood a great place to live. An over saturation of short-term rentals also can reduce the availability of affordable housing stock, contribute to escalating housing prices/rent, and contribute to declining school enrollment. The ability to regulate the proper saturation and nuisance potential is a critical part of zoning that this legislation prevents.
- This legislation pits year-round residents against second homeowners and non-resident investors.

How You Can Help:

Contact your legislators to voice your opposition. Also, contact members of the committees to which the legislation has been referred.

House Tourism and Outdoor Recreation Committee:

Holly Hughes (R) Committee Chair, 91st District, 517-373-3436

Curt VanderWall (R) Vice Chair, 101st District, 517-373-0825

Jason Sheppard (R) 56th District, 517-373-2617

Scott Dianda (D) Minority Vice-Chair 110th District, 517-373-0850

Cara Clemente (D) 14th District, 517-373-0140

Senate Local Government Committee Members:

Dale Zorn (R) Committee Chair, 17th District - 517-373-3543

John Proos (R) Vice Chair, 21st District - (517) 373-6960

Jack Brandenburg (R) 8th District - (517) 373-7670

Tory Rocca (R) 10th District - (517) 373-7315

Coleman Young II (D) Minority Vice Chair, 1st District – (517) 373-7346

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